

AOC Section	Requirement?	Description	Responsible Person	AOC Schedule Requirement, if applicable	Due Date	Completion Date	Notes
VII. Designation of Contractor, Project Coordinator, and On-Scene Coordinator							
VII.28	Yes	Retain one or more contractors to perform the work and notify EPA		15 days after effective date	5/30/2017	5/30/2017	If EPA denies contractor, Submit name of new contractor within 10 days
		Notify EPA of any additional contractor to perform work		10 days prior to work			If EPA denies contractor, Submit name of new contractor within 10 days
VII.30	Yes	Inform USEPA if BNSF Project Coordinator changes		10 days prior to change			
VIII. Work to be Performed							
VIII.32.a	Yes	Prepare a Removal Work Plan, including a schedule (same as VIII.34)		Within 45 days of effective date	6/29/2017		
VIII.32.b	Yes	Complete and submit a cultural resources survey		Within 45 days of effective date	6/29/2017		
VIII.32.c	Yes	Request information on biological resources. If species of concern are identified, resolve issues prior to on-site work		Within 15 days of effective date	5/30/2017	5/30/2017	If necessary, prepare Biological Evaluation per NNDFW RCS-44-08 within 30 days of receipt of biological resource information.
VIII.32.d	Yes	Participate in community involvement activities as directed by USEPA					
VIII.32.e	Yes	Provide temporary housing to impacted residents during removal activities, and pay for costs					
VIII.32.f	Yes	Construct/improve access roads to all AUMs to conduct work					
VIII.32.g	Yes	Secure water supply for dust suppression during work					
VIII.32.h	Yes	Develop and implement an effluent dust monitoring program					
VIII.32.i	Yes	Develop and implement a site wide traffic plan					
VIII.32.j	Yes	Excavate material to maximum depth in all 6 areas of concern. Restoration shall be implemented as appropriate					
		North east access road					Includes visual identification and removal of surficial soil piles to one foot below ground surface
		North east drainage					Includes visual identification and removal of surficial ore-bearing waste rock to one foot below ground surface
		Residential area					Includes visual identification and removal of surficial ore-bearing waste rock to two feet below ground surface
		Western drainage 2/Road					Includes visual identification and removal of surficial ore-bearing waste rock to two feet below ground surface
		Western Drainage 1					Includes visual identification and removal of surficial ore-bearing waste rock to one foot below ground surface
		East Stockpile					Includes a pre-removal site gamma-count survey, if TCRA is required, excavate to a maximum depth of two feet below ground surface
VIII.32.k	Yes	Design and construct a temporary consolidated waste pile with an erosion plan					
VIII.32.l	Yes	Develop and implement a confirmation survey and sampling plan					A randomized sampling approach (based on MARSSIM) will be used
		Design and implement a restoration plan on all excavated or impacted areas, plan must take into account potential future response actions					
VIII.32.m	Yes	Construct a fence and post signs around any consolidated pile					
VIII.32.n	Yes	Construct a fence and post signs around any consolidated pile					
VIII.32.o	Yes	Demobilize site					
VIII.32.p	Yes	Provide a Removal Completion Report					
VIII.34.a	Yes	Submit a draft Removal Work Plan and schedule for work detailed in Section VIII.32a		Within 45 days of effective date	6/29/2017		If EPA requires revisions, submit revised draft within 10 days.
VIII.35.a		Submit all deliverables in electronic form unless anything is larger than 8.5x11 (paper copies required)					Direct all submissions required by the Settlement to OSC Steve Calanog, alternate OSC Warren Zehner, and Dr. Donald Benn, Executive Director of NNEPA.
VIII.35.b		Sampling/monitoring data should be submitted in EDD format					
		Spatial data shall be submitted in ESRI geodatabase format and as unprotected geographic coordinates					
VIII.36	Yes	Submit a HASP		Within 30 days of effective date	6/14/2017		If requested by EPA, HASP will include contingency planning
VIII.37.b	Yes	Submit a Sampling and Analysis Plan		Within 45 days of effective date	6/23/2017		Shall include a field sampling plan (FSP) and a quality assurance project plan (QAPP)
		If soil sampling occurs, EPA shall have access to laboratories utilized. Analyses shall be run in accordance with EPA methods					
VIII.37.c		Analyses shall be run in accordance with EPA methods					
VIII.37.e		Provide split/duplicate soil samples to EPA if requested			MULTIPLE		Notify EPA no less than 7 days before sample collection
VIII.37.f		BNSF shall submit all sampling results/data to EPA					
VIII.37.g		If BNSF objects to EPA collecting data, BNSF must submit written complaint		Within 15 days after monthly progress report with data			
		BNSF may be required to participate in EPA's community involvement plan. At EPA's discretion, BNSF may be required to establish a community information repository near the site					
VIII.38		Submit a proposal for Post-Removal Site Control					
VIII.39		Upon EPA approval, conduct Post-Removal Site Control or obtain a written commitment from another party to conduct activities					
		Provide all documentation to EPA of Post-Removal Site Control commitments					
VIII.40	Yes	Submit weekly progress reports during field events and monthly at all other times		From when the work plan is approved until Notice of Completion of Work issued	MULTIPLE		
VIII.41	Yes	Submit final report summarizing the actions taken to comply with AOC		Within 60 days after work completion			
VIII.42.a		Prior to shipping hazardous substances, obtain EPA approval of receiving facility					
VIII.42.b		Ship Waste Material (>10 cubic yards) to other states only if written notice obtained prior to shipment					
IX. Property Requirements							
IX.43.a	Yes	BNSF shall obtain access agreements from owner(s) of Section 19					
IX.43.b	Yes	BNSF shall obtain access agreements from DOI, Bureau of Indian Affairs for Section 13					

